

10/540254

JC17 Rec'd PCT/PTO 22 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Gerhard EIDENHAMMER et al. : **Mail Stop: PCT**  
Serial No. NEW : Attorney Docket No. 2005\_1013A  
Filed June 22, 2005 :

METHOD FOR THE PRODUCTION OF A  
STABLE INJECTABLE FORMULATION  
MADE OF DIFFICULT TO DISSOLVE  
ANTINEOPLASTIC ACTIVE SUBSTANCES  
[Corresponding to PCT/EP2004/005268  
Filed May 17, 2004]

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- ☐ each U.S. Patent and U.S. Patent application publication;
- ☒ each reference previously cited in the international application  
PCT/EP2004/005268; and/or
- ☐ each reference previously cited in prior parent application Serial No.  
\_\_\_\_\_.

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

ATTACHMENT B

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, **or**

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified


- a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
- a. ☐ a full or partial English language translation submitted herewith,
  - b. ☐ a foreign patent office search report (in the English language) submitted herewith,
  - c. ☐ the concise explanation contained in the specification of the present application at page,
  - d. ☐ the concise explanation set forth in the attached English language abstract,
  - e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:
5. ☒ A foreign patent office search report (Attachment D) citing one or more of the references is enclosed.

Respectfully submitted,

Gerhard EIDENHAMMER et al.

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

By   
Matthew M. Jacob  
Registration No. 25,154  
Attorney for Applicants

MJ/kes  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
June 22, 2005

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

LIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: June 22, 2005

ATTY DOCKET NO.  
2005\_1013A

SERIAL NO.  
NEW

10/540254

APPLICANT  
Gerhard EIDENHAMMER et al.

FILING DATE  
June 22, 2005

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	00/23070 A1	04/2000	WO			
	AK	99/33780 A1	07/1999	WO			
	AL	0 645 145 A	03/1995	EP			
	AM	97/12017 A1	04/1997	WO			
	AN						

OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
	AQ	

EXAMINER

DATE CONSIDERED